

OPEN MEETING ITEM

COMMISSIONERS
KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP



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ARIZONA CORPORATION COMMISSION

2010 NOV -2 P 2: 04

AZ CORP COMMISSION
DOCKET CONTROL

DATE: NOVEMBER 2, 2010

DOCKET NO.: T-04020A-10-0174

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Yvette B. Kinsey. The recommendation has been filed in the form of an Order on:

SYNIVERSE NETWORKS, INC.
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

NOVEMBER 12, 2010

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

NOVEMBER 22, 2010 and NOVEMBER 23, 2010

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

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ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SABernal@azcc.gov

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 KRISTIN K. MAYES - Chairman
4 GARY PIERCE
5 PAUL NEWMAN
6 SANDRA D. KENNEDY
7 BOB STUMP

8 IN THE MATTER OF THE APPLICATION OF
9 SYNIVERSE NETWORKS, INC. TO CANCEL
10 ITS CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE COMPETITIVE
12 RESOLD LOCAL EXCHANGE
13 TELECOMMUNICATIONS SERVICES IN
14 ARIZONA.

DOCKET NO. T-04202A-10-0174

DECISION NO. _____

ORDER

11 Open Meeting
12 November 22 and 23, 2010
13 Phoenix, Arizona

13 **BY THE COMMISSION:**

14 * * * * *

15 Having considered the entire record herein and being fully advised in the premises, the
16 Commission finds, concludes, and orders that:

17 **FINDINGS OF FACT**

18 1. In Commission Decision No. 66638¹ (December 18, 2003), the Arizona Corporation
19 Commission ("Commission") granted Syniverse Networks, Inc. dba Syniverse Technologies, Inc.
20 ("SNI" or "Company") a Certificate of Convenience and Necessity ("CC&N") to provide resold local
21 exchange and resold long distance telecommunications services within the State of Arizona.

22 2. On May 5, 2010, SNI filed an application with the Commission requesting to cancel
23 its authority to provide resold local exchange telecommunication services in Arizona. SNI's
24 application also requests cancellation of all tariffs on file with the Commission related to its resold
25 local exchange authority. The application states that SNI does not currently provide, nor has it ever
26 provided, resold local exchange telecommunications service to any customer in Arizona, and SNI has

27 _____
28 ¹ Decision No. 66638 originally granted a CC&N to TSI Telecommunication Network Services, Inc. On May 12, 2004, in
Docket No. T-04202A-04-0362, TSI filed a Notice of Corporate Name Change to Syniverse Networks, Inc.

1 never collected advances, deposits, or prepayments from any customer in Arizona. SNI also request
2 a waiver of A.A.C. R14-2-1107(A)(2)-(4) and (B).

3 3. On May 28, 2010, SNI filed an amended application stating SNI has not provided any
4 services under its CC&N since July 2008 and SNI currently serves no customers in Arizona pursuant
5 to the authority under its CC&N.

6 4. On July 23, 2010, Staff filed a memorandum in response to SNI's application to
7 cancel its authority to provide resold local exchange telecommunications in Arizona. Staff believes
8 that cancellation of SNI's CC&N will have no impact on Arizona customers because SNI currently
9 has no resold local exchange customers in Arizona; SNI has never collected deposits, advances or
10 prepayments from Arizona customers; and SNI has no affiliates that provide telecommunications
11 services in Arizona. Based on the above information, Staff recommends approval of SNI's
12 application, cancellation of SNI's tariffs on file with the Commission, and waiver of A.A.C. R14-2-
13 1107(A)(2)-(4) and (B).

14 5. The Commission's Consumer Services Division reports that no complaints, inquires,
15 or opinions have been filed against SNI.

16 6. According to the Commission's Corporation Division, SNI is in good standing with
17 the Commission.

18 7. The Commission's Compliance Section reports no current compliance delinquencies
19 for SNI.

20 8. Staff's recommendations are reasonable and should be adopted.

21 **CONCLUSIONS OF LAW**

22 1. SNI is a public service corporation within the meaning of Article XV of the Arizona
23 Constitution and A.R.S. §§ 40-281, 40-282 and 40-285.

24 2. The Commission has jurisdiction over SNI and of the subject matter of the application.

25 3. The cancellation of SNI's authority to provide resold local exchange services in
26 Arizona is in the public interest.

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1 4. Based on the facts and circumstances presented in the above captioned docket, it is
2 appropriate to waive the notice requirements pursuant to A.A.C. R14-2-1107.

3 **ORDER**

4 IT IS THEREFORE ORDERED that application of Syniverse Networks, Inc. to cancel the
5 authority granted in Commission Decision No. 66638 (December 18, 2003), to provide resold local
6 exchange telecommunications services in Arizona is hereby approved.

7 IT IS FURTHER ORDERED that Commission Decision No. 66638 (December 18, 2003)
8 shall be amended to delete the requirement that Syniverse Networks, Inc. have on file with the
9 Arizona Corporation Commission conforming tariffs related to its resold local exchange
10 telecommunications services in Arizona.

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1 IT IS FURTHER ORDERED that Syniverse Networks, Inc's authority to provide resold long
 2 distance telecommunications services in Arizona, granted in Commission Decision No. 66638
 3 (December 18, 2003), shall remain in effect until further Order of the Commission.

4 IT IS FURTHER ORDERED that the requirements under A.A.C. R14-2-1107 are hereby
 5 waived.

6 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

7 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
 8
 9

10 CHAIRMAN

COMMISSIONER

12 COMMISSIONER

COMMISSIONER

COMMISSIONER

14 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
 15 Executive Director of the Arizona Corporation Commission,
 16 have hereunto set my hand and caused the official seal of the
 Commission to be affixed at the Capitol, in the City of Phoenix,
 this ____ day of _____, 2010.

18 ERNEST G. JOHNSON
 19 EXECUTIVE DIRECTOR

21 DISSENT _____

23 DISSENT _____

24 YBK:db

1 SERVICE LIST FOR: SYNIVERSE NETWORKS, INC.

2 DOCKET NO.: T-04202A-10-0174

3

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